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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) CR. NO. S-04-079 LKK
12)
Plaintiff,)
13) STIPULATION; ORDER
14)
MARCUS EDWARD MOORE,)
15)
Defendants.)
_____)

16 Defendant Marcus Edward Moore, through Randall G. Knox,
17 Attorney At Law, and the United States of America, through
18 Assistant U.S. Attorney Kenneth J. Melikian, agree to vacate the
19 status conference scheduled for September 20, 2005. The parties
20 further stipulate that a status conference be placed on the
21 court's October 4, 2005, calendar.

22 The parties have been continuing their negotiations in this
23 case, and are attempting to reach a package disposition with this
24 case and a similar case against the defendant for which he has
25 been indicted in the Northern District of California. Both
26 parties have been in contact with the Assistant U.S. Attorney in
27 the Northern District in an effort to reach a package disposition,
28 but more work still needs to be done to reach that goal. We

1 should know by October 4th whether a package disposition can be
2 reached.

3 For these reasons, the parties request that the status
4 conference in this case be continued to October 4, 2005. The
5 parties further agree that time should be excluded through
6 October 4, 2005, from computation under the Speedy Trial Act
7 pursuant to local code T4 (18 U.S.C. § 3161(h)(8)(B)(iv)) in order
8 to allow defense counsel to prepare his case.

9 DATED: September 16, 2005 Respectfully submitted,

10 MCGREGOR W. SCOTT
11 United States Attorney

12 /s/ Kenneth J. Melikian

13 By
14 KENNETH J. MELIKIAN
Assistant U.S. Attorney

15 DATED: September 16, 2005

16 /s/ Kenneth J. Melikian
17 RANDALL G. KNOX
Attorney for Defendant
18 (Signed by Kenneth J. Melikian
per telephonic authorization by
Randall G. Knox)

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20
21 IT IS SO ORDERED.

22
23 DATED: September 19, 2005

24 /s/ Lawrence K. Karlton
HONORABLE LAWRENCE K. KARLTON
U.S. District Court Judge

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers; that on SEPTEMBER 16, 2005, she served a copy of **STIPULATION AND ORDER** by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and its contents in the United States Mail at Sacramento, California.

Addressee(s):

Randall Gary Knox
Law Office of Randall Knox
870 Market Street
Suite 1152
San Francisco, CA 94102

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MICHELE RAMIREZ